

REMARKS

I. Status of the Claims

Claims 1-20 are currently pending in the Application. Claims 1 and 12 are in independent format. Applicant has amended claims 1, 10, 12, and 18 herein.

The present Response is intended to be fully responsive to the rejections raised by the Examiner and is believed to place the application in condition for allowance. Further, Applicant does not concede any of the Examiner's comments not particularly addressed. Favorable reconsideration and allowance of the application is respectfully requested.

II. Claim Amendments

Applicant has herein amended independent claims 1 and 12 to clarify that the "data reference" recited in each claimed embodiment comprises "a uniform resource identifier ("URI")". Applicant amended dependent claims 10 and 18 to be consistent with the amendments made to claims 1 and 12.

III. Responses to Section 103(a) Rejections

The Examiner rejected claims 1-4, 6-9, 11-14, 16-17, and 19-20 under 35 U.S.C. § 102(e) as being allegedly unpatentable over U.S. Patent App. Pub. No. 2003/0100312A1 ("Takahashi"). The Examiner also rejected claims 5, 10, 15, and 18 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Takahashi in view of U.S. Patent No. 6,970,548 ("Rossmann"). Applicant respectfully traverses.

Each of Applicant's independent claims includes a recitation directed to "a set of data" that comprises "a plurality of records." Each record in the plurality of records includes at least

three fields: "(i) a data reference comprising a uniform resource identifier ("URI")"; "(ii) location information"; and "(iii) device capability information." In addition, the recited "data reference" included in each record comprises "a uniform resource identifier ('URI')."¹ Figure 8 of Applicant's application depicts exemplary representations of such data sets:

Device Location	Data Reference	Data Size	Data Provider	Device Requirement
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider1.com/picture1.gif	1MB	provider1	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider2.com/picture1.gif	1MB	provider2	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider2.com/picture2.gif	2MB	provider2	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider2.com/picture1.gif	1MB	provider2	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider2.com/picture2.gif	2MB	provider2	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider1.com/picture1.gif	1MB	provider1	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider1.com/picture2.gif	2 MB	provider1	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 1$	www.provider1.com/picture2.gif	2 MB	provider1	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider1.com/picture1.gif	1MB	provider1	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider1.com/picture2.gif	2 MB	provider1	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider1.com/picture1.gif	1MB	provider1	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider2.com/picture2.gif	2MB	provider2	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider1.com/picture2.gif	2 MB	provider1	must have 16 MB memory
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider2.com/picture1.gif	1MB	provider2	must have color screen
$(x+1)^2 + (y+1)^2 + (z+1)^2 = 4$	www.provider2.com/picture2.gif	2MB	provider2	must have 16 MB memory

Figure 8

In addition, as recited in Applicant's pending independent claims, in the set of data, each data reference, which comprises "a uniform resource identifier ('URI')", is correlated with both location information and device capability information. Moreover, as recited in claims 1 and 12, "each data reference points to respective data."

Generally, Takahashi is directed to "a technique for changing a transmission rate or electric power for communication between a base station and a terminal." Takahashi, ¶ [0002]. In citing Takahashi, the Examiner associated Applicant's recited data reference with "fig. 3, column 204 and column 205" in Takahashi. Office Action, Dec. 20, 2007, pp. 2-3. Applicant respectfully submits, however, that a review of Takahashi reveals that columns 204 and 205 are not directed to data references as recited by Applicant, but to service types, such as "'economy', 'ordinary', or 'priority'." Takahashi, ¶ [0053]. In particular, service contract type 204 "is decided by a contract between a user of the terminal 10 and a provider of the communication system,"

and "indicates intensity of the transmission power of a down signal from the base station 20 to the terminal 10." *Id.* The service type 205, in turn, "shows the service type" after "the service type is modified between a user of the terminal 10 and a provider of the communication system," and also indicates the "intensity of the transmission power of a down signal from the base station 20 to the terminal 10." *Id.*

Applicant respectfully submits that the service types of Takahashi are distinct from Applicant's recited "data reference." For example, Takahashi's service types do not include a "uniform resource identifier ("URI")," there is no teaching in Takahashi that a data reference comprising a URI "is correlated with both location information and device capability information," and there is no teaching in Takahashi that each such data reference, which comprises a URI, "points to respective data."

Moreover, Applicant respectfully submits that Rossmann does not cure the deficiencies of Takahashi. Applicant respectfully disagrees that Rossmann teaches "the data-references comprise uniform resource identifiers ('URI's')," as alleged by the Examiner. *See* Office Action, Dec. 20, 2007, p. 6 (citing "column 37, lines 13-15" of Rossmann). Column 37, lines 13-15 of Rossmann states that a "two-way data communication device transmits the HTTP request including the complete URL to airnet network translator 500." Neither this statement, nor the remainder of Rossman, teaches a "data reference comprising a uniform resource identifier ("URI")," that such a data reference comprising a URI "is correlated with both location information and device capability information," or that each such data reference comprising a URI "points to respective data," as recited in Applicant's independent claims. Applicant therefore respectfully submits that independent claims 1 and 12 are allowable.

Applicant respectfully submits that the cited reference, alone or in combination with Rossmann, fails to teach every aspect of Applicant's independent claims 1 and 12, for the reasons discussed above. Without addressing the merits of the Examiner's statements regarding the pending dependent claims 2-11 and 13-20, which are not conceded, Applicant points out that these claims depend from and include all of the limitations of claims 1 and 12. Therefore, Applicant's dependent claims distinguish over the cited references for the same reasons discussed above with regard to independent claims 1 and 12. Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

CONCLUSION

In light of the above, Applicant respectfully submits that the present application is in condition for allowance and respectfully requests notice to this effect. The Examiner is requested to contact Applicant's representative below at (312) 913-0001 if any questions arise or if he may be of assistance to the Examiner.

Respectfully submitted,

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